

ORIGINAL

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Attorney or Party Name, Address, Telephone & FAX Numbers and California State Bar Number Barbara A. DeJohn (Party) 7215 W. Cholla St Peoria AZ 85345 (623) 215-4702		RECEIVED DEC 28 2009 CLERK U.S. BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA BY: Deputy Clerk	FOR COURT USE ONLY FILED DEC 21 2009 CLERK U.S. BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA BY: Deputy Clerk
UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA			
In re: DFJ Italia, LTD.		CASE NUMBER 8:00-bk-12295-RK	
		HEARING DATE:	
		TIME:	
Debtor.		PLACE:	

### MOTION FOR ORDER RELEASING UNCLAIMED FUNDS

I, under penalty of perjury under the laws of the United States of America declare (or certify, verify, or state) that the following statements and information are true and correct:

1. I request an order releasing the total amount of \$ 1,324.56 which is the sum of all monies deposited with the court on the following date(s) December 2, 2009 on behalf of the creditor Barbara A. DeJohn on claim number(s) 151

2. Please check and complete the applicable subparagraph(s) below:

- ☒ a. I am the creditor named in paragraph 1.
- ☐ b. I am an employee of the creditor named in paragraph 1 and my title is \_\_\_\_\_  
The creditor is still legally entitled to the monies and I am authorized by the creditor to this petition. Submit evidence establishing authority to act on behalf of creditor.
- ☐ c. I am the creditor and have appointed \_\_\_\_\_  
as my lawful attorney-in-fact who is duly authorized by the attached original power of attorney to file this motion.
- ☐ d. Subparagraphs a, b, and c above do not apply, but I am entitled to payment of such monies because (submit evidence establishing basis for right to obtain payment).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Continued on next page)

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3. Please complete each of the following subparagraphs:

a. The following is the creditor's address and phone number:

Barbara A. DeJohn

7215 W. Cholla St

Peoria AZ 85345

(623) 215-4702

b. A brief history of the creditor (from the filing of the claim to the present) which includes, if applicable, identification of any sale of the company and the new and prior owner(s). Submit evidence establishing the sale of the company from the prior to the new owner(s):

I moved from 10020 Hodgen Rd, Colorado Spgs CO 80908 in June of 2003. Although I updated my address with both the

court and the attorney's firm handling this case, the settlement check issued to me was sent to my previous address in

Colorado. It was returned and turned over to the Bankruptcy Court. Therefore, I never received my settlement check. I am

now residing at 7215 W. Cholla St Peoria AZ 85345. My phone number is (623) 215-4702. I would like to have my

settlement check sent to me at my current address as I have never received it.

4. I understand that, pursuant to 18 U.S.C. § 152, I may be fined or imprisoned, or both, if I have knowingly and fraudulently made any false statements in this document.

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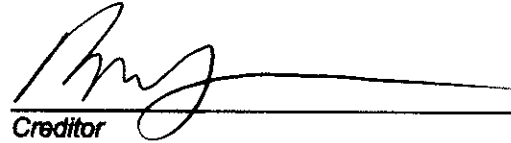
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(Corporate Seal

if applicable)

  
Creditor

Barbara A. DeJohn

Type or Print Creditor's Name

Creditor's Address

7215 W. Cholla St

Peoria AZ 85345

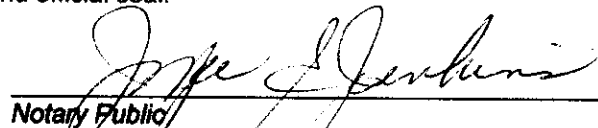
ARIZONA  
STATE OF CALIFORNIA, COUNTY OF MARICOPA

On 12/16/09 before me, personally appeared (insert name and title of the signer)

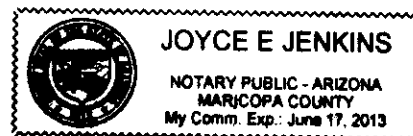
BARBARA A. DEJOHN

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. WITNESS my hand and official seal.

(SEAL)

  
Notary Public

My commission expires on June 17, 2013



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\_\_\_\_\_  
*Signature of Attorney/Attorney-in-Fact (if appointed)*

\_\_\_\_\_  
*Type or Print Name*

\_\_\_\_\_  
*Address*

STATE OF CALIFORNIA, COUNTY OF \_\_\_\_\_

On \_\_\_\_\_ before me, personally appeared *(insert name and title of the signer)*

\_\_\_\_\_  
\_\_\_\_\_  
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. WITNESS my hand and official seal.

(SEAL)

\_\_\_\_\_  
*Notary Public*

My commission expires on \_\_\_\_\_

Presented by:

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**PROOF OF SERVICE**

I hereby certify under penalty of perjury under the laws of the United States of America that on \_\_\_\_\_, I mailed in a sealed envelope, with postage thereon fully prepaid, a fully completed true and correct copy of the document described as "Motion for Order Releasing Unclaimed Funds" to the United States Attorney, United States Trustee, and other persons and entities required to be served by Local Bankruptcy Rule 3011-1(b) and addressed as follows:

Mailed to: US Bankruptcy Court  
Attn: Fiscal Unit  
255 E. Temple St  
Los Angeles Ca 90012

Mailed from: Barbara A. DeJohn  
7215 W. Cholla St  
Peoria AZ 85345

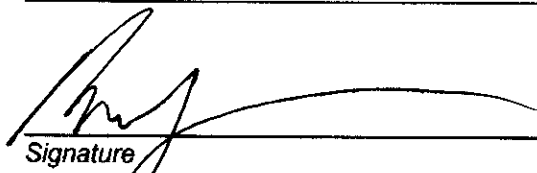
Please insert the name and address of the trustee appointed in the case and the trustee's counsel, if any:

Thomas H. Casey, Inc  
22342 Avenida Empressa Ste 260  
Rancho Santa Margarita CA 92688

Please insert the name and address of the Debtor, Debtor in Possession, reorganized Debtor, or other fiduciary appointed to supervise the distribution of funds and assets of the estate (if not the claimant) and their counsel, if any:

If Movant is not the original creditor or an employee thereof, please insert the name and address of the original creditor and the creditor's counsel, if any:

16 Dec 09  
Date

  
Signature  
Barbara A. DeJohn  
Type or Print Name

**F 3011-1**

To Whom It May Concern,

December 16, 2009

Enclosed is a Motion For Order Releasing Unclaimed Funds. I hope I completed this form correctly. I am requesting \$1,324.56 entitled to me that is being held in Unclaimed Funds.

In 2003, I moved from my previous address: 10020 Hodgen Rd, Colo Spgs CO 80908. I now reside at 7215 W. Cholla St Peoria AZ 85345. During this time frame, the case of DFJ Italia, LTD was settled in court. Although I made every attempt to keep my new address updated, it seems that did not occur.

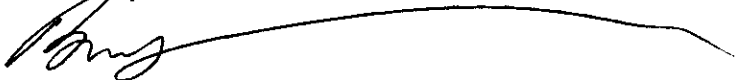
On December 1, 2009, I was notified through a third party that the case was settled and that a check for \$1,326.56 was issued to me. However, the check was sent to my previous address in Colorado. The check was never forwarded to me, thus it was returned and deposited in the bankruptcy court.

I would appreciate the check being reissued and sent to my current address. Enclosed is the motion I was instructed to complete to begin this process. If I am lacking any information in this motion, I would appreciate a response so I can correct and complete the motion.

I was also informed by the Thomas H Casey law firm that Thomas H. Casey was the Trustee appointed in the case, so I have listed him and his address on the service page.

Again, I would appreciate a response to my motion and any assistance to complete this motion and process to have my claim sent to me. Thank you.

Sincerely,



Barbara A. DeJohn  
7215 W. Cholla St  
Peoria AZ 85345  
(633) 215-4702